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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/608,897	06/30/2000	Christopher R. Kane	13531	2046

7590 02/10/2006
Richard L Catania Esq
Scully Scott Murphy & Presser
400 Garden City Plaza
Garden City, NY 11530

EXAMINER

LUDWIG, MATTHEW J

ART UNIT PAPER NUMBER

2178

DATE MAILED: 02/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/608,897	Applicant(s) KANE, CHRISTOPHER R.	
	Examiner Matthew J. Ludwig	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-7, 9-11 and 13-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-7, 9-11 and 13-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. This action is in response to the RCE filed 11/30/05.
2. Claims 1-3, 5-7, 9-11, 13, and 14, are pending in the case. Claims 1, 5, 9, 13, and 14, are independent claims.
3. The rejections of claims 1-3, 5-7, 9-11, 13, and 14, under 35 U.S.C. 103(a) as being unpatentable over Moseley have been withdrawn pursuant to applicant's amendments.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-3, 5-7, 9-11, and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michael Bostock, DHTML Buzzword Bingo, Netscape, published 1999.**

In reference to independent claim 1, Bostock teaches:

The illustration on page 1 of DHTML Buzzword Bingo provides a web page on a web site with predefined style attributes. Furthermore, the reference provides a means of laying out the interface through DHTML (compare to "adding a web page to a web site, the web page having pre-defined style attributes"). See Bostock, page 2 of 9.

The reference provides code to define a layer containing a title tag and a style tag. This code would appear inside the head of the HTML document. The code defines the various attributes for the layer called "title" Graphic using CSS (compare to "giving the web page a title

selected in accordance with a pre-defined naming convention and providing a style sheet having predefined style attributes”). See Bostock, page 2 of 9.

Once the elements have been placed on the page you need to “control” your layers. This means everything from moving the layers around, to handling user events (such as mouse clicks), and setting layer properties (like background color). The reference to Bostock provides Javascript to specify how the layer looks, dynamically, by changing the layer object’s attributes (compare to selecting a web page, providing a computer program that, in response to selecting, reads title, identifies section name of the web site, and uses the pre-defined style attributes of the style sheet to alter pre-defined style attributes of the web page on said section name...). See Bostock, page 4 of 9.

The Bostock reference provides div tags and title tags which are both HTML and DOM elements. Both could be accessed through JavaScript. CSS and JavaScript provide access to and have the ability to modify tags. Furthermore, div tags and title tags apply style to any element. It would have been obvious to one of ordinary skill in the art, having the known methods of accessing elements through layers as taught by Bostock and modified the reference to perform the same access and modifications on a web page for enhanced control of style attributes on a web page.

In reference to dependent claim 2, Bostock teaches:

The layer recited in the code on pages 5-7 illustrates the document title and a section name pointed to by said title. See Bostock, pages 5-7.

In reference to dependent claim 3, Bostock teaches:

The layer recited in the code on pages 5-7 illustrates the web page document with a region for linked text. Furthermore, one of the pre-defined style attributes is given text and this is used to alter said predefined attributes of the web page. See Bostock, pages 5-7.

In reference to claims 5-7, the claims recite the system comprising computer readable instructions for carrying out the methods as claimed in 1-3. In further view of the following, the claims are rejected under similar rationale.

In reference to claims 9-11, the claims recite a program storage device comprising computer readable instructions for carrying out the methods as claimed in 1-3. In further view of the following the claims are rejected under similar rationale.

In reference to claims 13-16, the claims recite similar methods as claimed in 1-3 for dynamically altering the contents of a web page and therefore are rejected under similar rationale.

Response to Arguments

Applicant's arguments with respect to claims 1-3, 5-7, 9-11, and 13-16 have been considered but are moot in view of the new ground(s) of rejection.

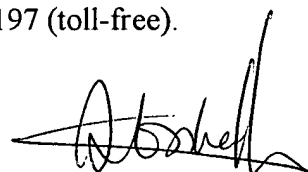
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 571-272-4127. The examiner can normally be reached on 9:00am-6:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Stephen Hong', with a stylized flourish at the end.

ML
February 6, 2006

STEPHEN HONG
SUPERVISORY PATENT EXAMINER